IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.49565 of 2008
NARAIN PASWAN
Versus
STATE OF BIHAR
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2. 17.12.2008 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends arrest in a Police case under Sections 420, 467, 468, 120B of the Penal Code.

The allegations are that the petitioner married a woman who was a widow. She abandoned her 12 year old child after the remarriage. The petitioner and others were instigating her to sell her lands leading to proceedings under Section 107 and 144 Cr.P.C.

Learned counsel for the State submits that the petitioner is a named accused in a first information report of 1995 and does not deserve the privilege of anticipatory bail.

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The delay in seeking the relief is a vital aspect to be considered in an application of anticipatory bail, but at the same time it has to be balanced with the nature of the allegations.

Having considered the facts and circumstances of the case, let the petitioner, abovenamed surrender in the court below within a period of four weeks from today, when he shall be enlarged on bail on furnishing bail bonds of Rs. 10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Motihari, East Champaran in Motihari Town P.S. case No. 88 of 1995, subject to the conditions laid down under Section 438(2) Cr.P.C.

AKS/ **(Navin Sinha, J.)**